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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

VINH VAN TRINH,

Defendant and Appellant.

D060175

(Super. Ct. Nos. SCD233000,
SCD229064)

APPEAL from a judgment of the Superior Court of San Diego County, Theodore M. Weathers, Judge. Affirmed.

In case number SCD229064 (the probation violation case), Vinh Van Trinh pleaded guilty to one count of possessing methamphetamine and received three years formal probation. In case number SCD233000 (the instant case), Trinh pleaded guilty to possessing methamphetamine for sale in exchange for a two-year sentence along with a two-year concurrent term for the probation violation case. Following the guilty plea, the court formally revoked probation in the probation violation case. The court referred

Trinh to the Parole Re-entry Court Program, but he was denied admission to the program based on an immigration hold.

After the trial court denied Trinh's motion to withdraw his guilty plea, it sentenced him to two years in prison for the instant case, with a concurrent two-year term for the probation violation case. The trial court imposed several fines and fees and gave Trinh 164 days of pre-sentence custody credit for the instant case, along with 244 days in the probation violation case.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. He presented no argument for reversal, but asked this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). Under *Anders v. California* (1967) 386 U.S. 738 (*Anders*), he listed as possible but not arguable issues, whether: (1) the trial abused its discretion in denying Trinh's motion to withdraw his guilty plea; (2) Trinh was sentenced in accordance with his guilty plea agreement; (3) the guilty plea is invalid due to ineffective assistance of counsel; and (4) custody credits were properly calculated. We granted Trinh permission to file a brief on his own behalf. He has not responded.

Our review of the record pursuant to *Wende*, including the possible issues listed by counsel pursuant to *Anders*, has disclosed no reasonably arguable issues on appeal. Competent counsel has represented Trinh on this appeal.

DISPOSITION

The judgment is affirmed.

McINTYRE, J.

WE CONCUR:

HUFFMAN, Acting P. J.

AARON, J.